

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/699,995
Inventor: Randall T. Webber
Filed: November 3, 2003
Title: **RIGID ARM PULL DOWN EXERCISE MACHINE**

Art Unit: 3764
Examiner: Jerome W. Donnelly

REPLY TO OFFICE ACTION

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is in response to the Office Action mailed on October 23, 2006 in which the Examiner required election between several distinct species as listed in paragraph 1 of the detailed action. The Examiner indicated in the Office Action that no claims are currently generic. However, it is respectfully submitted that a number of the claims are generic, specifically claims 1, 2, 8-10, 14, 17-20, 22, 23, 45-48, and 51. These claims define features present in all of the embodiments.

By this response, Applicant elects Species I, Figures 1 to 6, for examination, without traverse. In addition to the generic claims listed above, the following claims are readable on the elected species as well as some of the other species: Claims 3, 5, 6, 12, 15, 25, 26, 30, 32, 35-37, 40, 41, 49, 53-55.

Applicant will be entitled to consideration of non-elected claims 4, 7, 11, 13, 16, 21, 24, 27-29, 31, 33, 34, 38, 39, 42-44, 50, 52, and 56 if a generic claim from which they depend is found

allowable. Applicant reserves the right to file one or more divisional applications on the non-elected claims if a generic claim is not found allowable.

An early examination on the merits of claims 1-3, 5, 6, 8-10, 12, 14, 15, 17-20, 22, 23, 25, 26, 30, 32, 35-37, 40, 41, 45-49, 51, and 53-55 is respectfully requested.

Accompanying this response is an Information Disclosure Statement bringing to the Examiner's attention some prior art references recently cited in a related application, as well as some other co-pending applications which are related to the current application.

Respectfully submitted,
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Dated: November 20, 2006

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